

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. Entry of this Amendment Under Rule 116 is merited as it raises no new issues and requires no further search.

Claims 7-15 remain pending.

Claims 1-4 are canceled without prejudice or disclaimer. Claims 7-9, and 11-15 are amended. Claims 8 and 12 are amended to be in independent form. Claims 13-15 are amended to include limitations similar to the limitations of claim 8.

The Examiner's indication of allowable subject matter with respect to claims 8-10 is noted with appreciation.

The objections with respect to claims 9 and 15 are believed overcome in view of the foregoing amendments and withdrawal of the objections is in order.

The rejection of claims 1-4, 7, and 11, 13-15 is believed overcome in view of the foregoing amendments. Withdrawal of the rejection is in order.

The rejection of claim 12 under 35 U.S.C. 103(a) as being unpatentable over Hsieh (U.S. Patent 6,011,558) in view of Burt (U.S. Patent 5,999,662) is hereby traversed.

Equation I(ri) at column 5, line 63 - column 6, line 10 of Hsieh is not a determination of the most consistent average distance between images. According to Hsieh, Equation (7) is used to obtain the intensity of a corresponding pixel in a composite image I, i.e., a distance between images is already calculated by the time Hsieh uses Equation (7).

Further, Hsieh relies on aligning horizontal and vertical edges detected in images and not

correlating determined regions of interest as claimed in the present claimed subject matter. See for example, Hsieh at column 4, lines 36-53 and column 5, lines 6-9. Hsieh fails to disclose the determination of regions of interest as claimed in claim 12.

For at least either of the foregoing reasons, claim 12 is patentable over Hsieh and the rejection should be withdrawn.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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